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Paper No. 9

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. **COPY MAILED**
P.O. BOX 2938
MINNEAPOLIS, MN 55402

JUL 24 2003

In re Application of
Matthews, et al.
Application No. 10/067,106
Filed: February 4, 2002
Atty. Dkt. No.: 1384.004US3
Title: SYSTEM AND PROTOCOL FOR
FRAME RELAY SERVICE OVER THE
INTERNET

:
:
: **OFFICE OF PETITIONS**
: DECISION GRANTING
: STATUS UNDER 37 CFR
: 1.47(a)
:
:

This decision is in response to the renewed petition under 37 CFR 1.47(a), filed May 28, 2003 (Certificate of Mailing date of May 21, 2003).

The petition is GRANTED.


Petitioner has shown that inventor Sajit Bhaskaran has refused to join in the filing of the above-identified application after having been presented with the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0310.


Alesia M. Brown
Senior Petitions Attorney
Office of Petitions



Paper No. 8

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& KLUTH, P.A.
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OFFICE OF PETITIONS

This is a decision on the petition, filed July 10, 2003, under 37 CFR 1.181 to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is hereby GRANTED.

The application was held abandoned December 22, 2002 for failure to timely reply to the Office communication mailed October 21, 2002. The Office communication set a two (2) shortened period of time for reply. Notice of Abandonment was mailed June 10, 2003.

Petitioner states that a response to the Office communication along with petition for extension of time were timely submitted May 21, 2003 in accordance with the Certificate of Mailing procedures outlined at 37 CFR 1.8. Petitioner has included a copy of the response filed in response to the Office letter.

A review of the application file indicates that the reply submitted does not indicate receipt of the response purportedly submitted May 21, 2003, however, the response will be considered timely as it complies with the requirements of 37 CFR 1.8(b) in that (1) the Office was promptly informed of the previous timely mailing, (2) a copy of the previously submitted correspondence with certificate of mailing thereon has been supplied, and (3) statements attesting to the previous timely mailing have been submitted.

In view of the evidence presented by petitioner, the holding of abandonment in the above-referenced application is hereby vacated and the holding of abandonment withdrawn. Accordingly, the response to the Office communication will be accepted as having been timely filed via Certificate of Mailing on May 21, 2003.

This application file is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 305-0310.


Alesia M. Brown
Senior Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS
LETTER

Dear Sir:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Alesia M. Brown
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Office of Petitions